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**Facsimile Cover Sheet**

**Attention:** Examiner Gloria Hale

**Department:** Amendment

**Company Name:** USPTO

**Date:** January 5, 2006

**Facsimile Equipment Phone Number:** (571) 273-8300

**Pages:** 24 (including cover sheet)

**Docket No.:** 486.0046USU

**From:** CHARLES N.J. RUGGIERO

**Message:**

**Ser. No.: 10/782,370**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Kaye et al.  
Serial No.: 10/782,370  
For: Brassiere Having A Spacer Fabric and Method of Making Same  
Filed: February 19, 2004  
Examiner: Hale, Gloria  
Art Unit: 3765  
Confirmation No.: 3571  
Customer No.: 27,623

Attorney Docket No.: 486.0046USU

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**AMENDMENT TRANSMITTAL**

We are enclosing an Amendment in response to the communication dated October 5, 2005 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$\_\_\_\_\_ to extend the time for filing this response until \_\_\_\_\_.

The fee for any change in number of claims has been calculated as shown below.

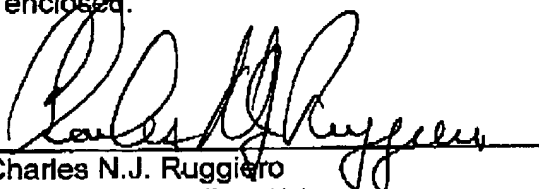
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	20	Minus	20	0	x \$50.00	\$0.00
Independent Claims	4	Minus	4	0	x \$200.00	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					x \$380.00 = \$	
TOTAL FEE FOR CLAIM CHANGES					\$0.00	
1/2 FILING FEE FOR SMALL ENTITY					\$N/A	

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

       A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

January 5, 2006  
Date

  
Charles N.J. Ruggiero  
Attorney for Applicant(s)  
Registration No. 28,468  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
Telephone: (203) 327-4500  
Telefax: (203) 327-6401

#### CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE FACSIMILE NUMBER 571-273-8300, c/o MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON January 5, 2006.

J. Nicole Smith  
NAME

  
SIGNATURE

January 5, 2006  
DATE

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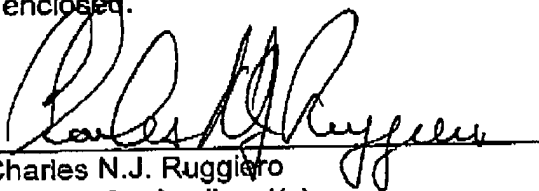
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	20	Minus	20	0	x \$50.00	\$0.00
Independent Claims	4	Minus	4	0	x \$200.00	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					x \$360.00 = \$	
TOTAL FEE FOR CLAIM CHANGES					\$0.00	
1/2 FILING FEE FOR SMALL ENTITY					\$N/A	

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

       A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

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J. Nicole Smith  
NAME

  
SIGNATURE

January 5, 2006  
DATE

10/782,370

Art Unit: 3571

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kaye et al.

Serial No: 10/782,370

Filed: February 19, 2004

Title: BRASSIERE HAVING A SPACER FABRIC AND METHOD  
OF MAKING SAME

Examiner: HALE, Gloria

Art Unit: 3765

Confirmation No.: 3571

Customer No.: 27623

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Commissioner for Patents  
P.O. Box 1450  
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Dear Sir:

**Amendment**

An Office Action was mailed on October 5, 2005. Please amend the  
above-identified patent application as follows.

**Amendments to the Claims** begin on page 2.**Argument/Comments** begin on page 8.